



ATTORNEY AT LAW

171 EDGE OF WOODS ROAD  
SOUTHAMPTON, NEW YORK 11968MAILING ADDRESS:  
P.O. BOX 323  
SOUTHAMPTON, NEW YORK 11969-0323TELEPHONE (631) 287-5520  
FACSIMILE (631) 283-4735  
E-MAIL DAVIDLOPEZESQ@AOL.COM

Hon. Leonard B. Sand  
Judge, U.S. District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**Re: Donoghue vs. Local.com and Hearst Communications, Inc., 07 CV 8550 (LBS)**

Your Honor:

Further to my letter of June 17, 2008, addressed to you:

1. Counsel for Hearst Communications, Inc. has agreed that further discovery pertinent to the pending motion will not be required.
2. Counsel for Hearst Communications, Inc. has agreed that conversion of Hearst's motion for dismissal into a motion for summary judgment under Rule 56 is appropriate.
3. Counsel for Hearst and for plaintiff have agreed to the following supplementary briefing schedule:
  - a) Hearst's supplementary brief to be served and filed by July 16, 2008.
  - b) Plaintiff's and/or Local.com's answering supplementary brief to be served and filed by July 30, 2008.
  - c) Hearst's supplementary responsive brief to be served and filed by August 11, 2008.
  - d) A re-convened hearing or acceptance of the motion on submission to be announced by Your Honor at your convenience.

**MEMO ENDORSED**

DAVID LOPEZ

**Hon. Leonard B. Sand**  
**June 23, 2008**  
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We respectfully ask that the foregoing be ordered.

Very truly yours,

David Lopez

DL/el

cc: Alan Mansfield, Esq.  
William A. Wargo, Esq.  
Jonathan L. Fried, Esq.  
Daniel E. Donoghue, Esq.

S O O R D E R E D:

Leonard B. Sand, U.S.D.J.  
New York, New York  
June 26, 2008

**MEMO ENDORSED**